



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

October 31, 2013

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To: Supervisor Mark Ridley-Thomas, Chairman
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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE - COUNTY-SPONSORED LEGISLATION

The purpose of this memorandum is to report on County-sponsored legislation, which, unless otherwise directed by the Board, the Sacramento advocates will pursue in the second year of the 2013-14 Legislative Session. All of the proposals for County sponsorship described in this memorandum are consistent with previous Board actions and/or existing policy. The number of legislative proposals will be limited to focus primarily on issues of highest priority to the County.

This office, working with affected departments and Board offices, will also present recommendations for additions, deletions, and changes to existing policies for the 2013-14 State Legislative Agenda for the Board's consideration and approval on December 10, 2013.

This office will pursue eight measures for County sponsorship in 2014. This includes three initiatives continued from the first year of the 2013-14 Legislative Session related to: 1) mentally disordered offenders; 2) human trafficking; and 3) conversion technologies. Three new proposals pursuant to Board-adopted motions to: 1) amend the Sexually Violent Predator Act; 2) increase criminal and financial penalties for those who engage in the sex trafficking of underage individuals and those who solicit underage individuals for commercial sex; and 3) extend the sunset date of the Enhanced Homeowners Notification Program. In addition, there are two new proposals related to: 1) medical authorization for children detained in the dependency system, recommended by the Department of Children and Family Services; and 2) electronic identity verification to access vital records recommended by the Registrar-Recorder/County Clerk. These proposals have been vetted by this office, County Counsel, the Sacramento advocates and the affected departments.

"To Enrich Lives Through Effective And Caring Service"

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As other legislative priorities emerge based on Board actions, departmental requests, or major events in Sacramento, we will advise you and pursue as necessary.

County-Sponsored Legislation Continued from 2013

This office and the Sacramento advocates will continue to pursue the enactment of the following County-sponsored measures when the Legislature reconvenes in January 2014.

County-sponsored AB 1065 (Holden) - Mentally Disordered Offenders. As introduced on February 22, 2013, would require that a person released from State prison who has served a previous prison term during which they were designated a Mentally Disordered Offender be released to State parole supervision. This measure is currently in the Assembly Public Safety Committee, and is a two-year bill.

County-sponsored SB 473 (Block) - Human Trafficking (Board Action - March 5, 2013). As amended on September 3, 2013, would add human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity pursuant to Proposition 21 of 2000 and make an individual eligible for enhanced criminal sentences and penalties. This measure is currently on the Assembly Inactive File, and is a two-year bill.

County-sponsored SB 804 (Lara) - Definition of Conversion Technologies (Board Action - September 25, 2012). This measure, which would have revised the definition of the term biomass conversion to include, in addition to controlled combustion used for producing heat or electricity, the conversion technology used in a biomass conversion technology facility, among other provisions, was vetoed by Governor Brown on October 11, 2013.

In his veto message, the Governor noted that while he agreed with the bill's intent, he found that late amendments to the bill made it "overly complicated and unworkable." The Governor also redirected the Department of Resources, Recycling and Recovery, in conjunction with the County, and other stakeholders, to develop an approach that would apply to all biomass facilities irrespective of the technologies used, to be introduced in a bill next year. Therefore, pursuant to the Board action of September 25, 2012, the Sacramento advocates will secure an author and work with the Governor Brown Administration and other stakeholders on a new bill regarding conversion technologies for enactment in 2014.

Board Motions to Pursue County-Sponsored Legislation

Amendments to the Sexually Violent Predator Act (Board Action - July 9, 2013)

This office is working with the District Attorney (DA) to pursue legislation to amend the Sexually Violent Predator Act (SVPA) to clarify the notification provisions for conditional release hearings to include notification to potential counties of domicile and to victims. The District Attorney is currently reviewing this proposal for sponsorship, and the County will either co-sponsor and/or support the District Attorney's efforts. Should the DA decide not to pursue this measure, the County will take the lead to sponsor this legislation.

Increased Penalties for the Commercial Sexual Exploitation of Minors and Increased Services for Victims (Board Action - September 3, 2013)

We will pursue County-sponsored legislation to increase criminal and financial penalties for those who engage in the sex trafficking of underage individuals and those who solicit underage individuals for commercial sex. We will also pursue a provision to increase funding and resources for victims and victim services.

Extension of the Enhanced Homeowner Notification Program (Board Action - September 24, 2013)

We will pursue County-sponsored legislation to extend or remove the sunset date of **County-sponsored SB 62** (Chapter 141, Statutes of 2011) which provided for the establishment and administration of the County's Enhanced Homeowner Notification Program.

Pursuant to the Board's action of December 15, 2009, the Sacramento advocates secured passage of **County-sponsored SB 62** which authorizes the County to notify a property's owner and occupants when a notice of default or sale has been recorded. This measure also authorizes the Registrar-Recorder to collect a recording fee upon notification of a default or sale and to use a portion of the fee to provide information, counseling and assistance to persons who receive the notice. Provisions of SB 62 are scheduled to sunset on January 1, 2015. Extension or removal of the sunset date of the Enhanced Homeowner Notification Program will allow the County to continue to provide needed assistance to property owners and occupants who are subject to real estate and foreclosure fraud.

New Recommendations for County-Sponsored Legislation

Medical Authorization for Detained Children in the Dependency System (Requested by the Department of Children and Family Services and County Counsel)

This office will pursue County-sponsored legislation to clarify a social worker's authority to consent to important medical, dental, mental health initial assessments and screenings that are necessary to fully identify and meet the needs of detained children in the dependency system.

State regulations require that each child in placement receive a medical and dental examination within the first 30 days of the initial detention. Based upon this State regulation, the Department of Children and Family Services (DCFS) policy requires that initial medical examinations be conducted within 10 days of the child being detained in foster care. According to County Counsel, current law does not provide clear authority for social workers to consent to a comprehensive, non-invasive medical, dental and mental health screening for all newly detained children, as well as a process to obtain any recommended remedial medical care for these children.

The Department of Children and Family Services and County Counsel indicate that social workers need to be provided with clear authority to consent to important initial health care screenings and assessments for children with medical conditions, including communicable diseases, other illnesses with high temperatures, and immediate mental health treatment. In addition, DCFS and County Counsel indicate that without clear statutory authority that an initial examination must be conducted where parental consent is not needed, there is a delay in conducting these necessary examinations, which poses a health risk to detained children in the dependency system.

This proposal for County-sponsored legislation is consistent with **County-sponsored SB 913** (Chapter 256, Statutes of 2011) which clarified a chief probation officer's authority to consent to medical examinations and non-emergency medical care for youth detained in county juvenile facilities. **Therefore, unless otherwise instructed by the Board, the Sacramento advocates will pursue this County-sponsored legislation.**

Access to Vital Records via Electronic Identification Verification (Requested by the Registrar-Recorder/County-Clerk)

This office will pursue County-sponsored legislation to provide local agencies with the option to provide constituents access to their vital records via an electronic identification process.

The Registrar-Recorder/County-Clerk (RR/CC) indicates that under existing law, each person requesting certified copies of vital records such as those for births, deaths, marriage or military service records, via mail, fax or online, must sign a statement, under penalty of perjury, that they are an authorized person and must present a certificate of identity acknowledged by a notary public. The RR/CC notes the current law makes it difficult to access copies of vital records for persons with monetary constraints or who live out of the County.

The proposed legislation would allow local jurisdictions to provide consumers with the option to verify their identity through a secured electronic verification process. The RR/CC notes that electronic identification systems have been successfully implemented in a number of major industries such as banking, insurance, and some governmental agencies. The RR/CC further indicates that an electronic identity verification process would be a convenient and equitable option for all consumers. Additionally, such an option would enhance customer service by providing easy access vital records from home via the Internet, or wherever secured Internet access is available. This process would also be more efficient for county recorders and would help reduce traffic in county offices and wait times for customers. This proposal is consistent with existing Board-approved policy to support legislation to provide constituents access to their vital records via an electronic identification process. **Therefore, unless otherwise instructed by the Board, the Sacramento advocates will pursue this County-sponsored legislation.**

We will continue to keep you advised.

WTF:RA
MR:VE:IGEA:ma

c: All Department Heads
Legislative Strategist